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Juvenile Infractions Now Handled in Court

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Historically, citations issued to juveniles for traffic infractions (e.g., bicycle or skateboard violations) have been processed by the Inyo County Probation Department. Juveniles have not been sited to court, but rather notified by the Probation Department on how to dispose of their ticket. If the juvenile wished to contest the citation, a hearing was set before the probation officer.

Given the ever increasing demands on the Probation Department, and the court's belief that the adjudication of infractions is more properly a judicial function, the court has decided to process all juvenile infractions.

The first step in this transfer of responsibility will be to resolve outstanding citations. Juveniles who have failed to respond to the Probation Department, will along with a parent or guardian, be ordered to appear in the Superior Court after school on Oct. 30, 2003 or Nov. 4, 2003.

Following some required programming to the court's computer system this fall, juvenile infraction citations will be filed by law enforcement directly with the court. As allowed by state law, juvenile traffic infractions will be handled in the adult court. In other words, juvenile traffic infractions will be handled just like any other adult traffic ticket. Juveniles contesting their citations will be entitled to a trial by a judge.

Non-traffic infractions will be handled in the Juvenile Court. Juveniles cited for non-traffic infractions (e.g., smoking, curfew, bicycle or skate park violations) will be required to appear in the Juvenile Court in either Bishop or Independence. Juveniles desiring to contest non-traffic infractions will be entitled to a confidential hearing before a judge. If the violation is admitted or proven, the Juvenile Court may impose fines, community work service, license suspensions, and/or participation in rehabilitative programs such as bicycle safety or tobacco cessation classes.

The transfer of responsibility will relieve the Probation Department, including its secretarial and accounting staff, from having to handle these infraction cases, thereby creating more time for processing and supervising more serious misdemeanor and felony cases.

Juveniles wishing to contest their citations will be afforded a hearing before a judge, with the right to confront and cross-examine the witnesses against them, to present evidence favorable to themselves, utilize the subpoena process of the court, and the right against self-incrimination.

By handling these cases, the court also hopes that juveniles will quickly realize that law enforcement, the court and the community take infraction cases seriously, that juveniles can no longer simply ignore their tickets without serious consequences, and that juveniles who commit traffic and non-traffic infractions will be held accountable for their actions.